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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of )  
 )  
Martin Loeser )  
 )  
on PAYMENT SYSTEM BY MEANS OF A )  
MOBILE DEVICE )  
 )  
Serial No.: *Not Yet Assigned* )  
 )  
Filed: Simultaneously herewith ) (Our Docket No. 6400-30)

Hartford, Connecticut, January 28, 2002

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

PRELIMINARY AMENDMENT

S I R:

Prior to examination on the merits, please amend the above-identified application  
as follows:

**In the Specification:**

**Page 1**

Before the "Technical Field" please insert the following paragraph:

**Cross Reference to Related Applications**

This application is entitled to the benefit of, and incorporates by reference, essential subject matter disclosed in European Patent Application No. 01102566.5 filed on February 6, 2001.

**Page 10**

Please replace the second paragraph with the following paragraph:

Methods for digital signature are generally known from textbooks on cryptography; at present, asymmetric methods, also called public key methods, are preferably used. Further notes can also be found in the above-mentioned publication WO 98/52151.

**In the claims:**

Please amend claims 4-8, to read as follows:

4. (Amended) The method as claimed in claim 1, wherein the payment instruction is digitally signed in the mobile device.

5. (Amended) The method as claimed in claim 1, wherein the payment confirmation is digitally signed in the payment center.

6. (Amended) The method as claimed in claim 1, wherein the payment demand contains the address to which the payment confirmation is sent.

7. (Amended) The method as claimed in claim 1, wherein the third link is implemented by means of the first and second link.

8. (Amended) The method as claimed in claim 1, wherein Bluetooth or IrDa is used as the first interface and GSM, GPRS or UTMS are used as the second interference.

### **REMARKS**

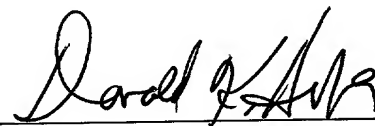
The above amendments are being made to remove multiple dependencies from its claims.

Attached hereto is a marked-up version of the changes made to the Specification and Claims. The attached pages are captioned "**Version with markings to show changes made.**"

Should the Examiner have any questions regarding the present application, Applicant respectfully requests that the Examiner contact Applicants' representative at the phone number listed below. While Applicant believes no fees are due with the filing of this amendment, please charge any deficiencies in fees associated with this filing to our Deposit Account No. 13-0235.

Respectfully submitted,

By



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201T017

**Payment system by means of a mobile device**

Cross Reference to Related Applications: This application is entitled to the benefit of, and incorporates by reference, essential subject matter disclosed in European Patent Application No. 01102566.5 filed on February 6, 2001.

Technical field

- 5 The invention relates to the handling of electronically performed payment processes by using a mobile device which uses a wireless data link.

- 10 The use of mobile telephones for the purpose of payment is described in European patent application EP 0 708 547 A2. This makes use of the fact that a secure identification of the subscriber is needed even just for setting up a connection, because of invoicing it. In this proposal, therefore, the amount is input by  
15 the subscriber on his mobile telephone, confirmed by the network operator and transmitted to the cash office of the dealer. It is also proposed to use a wireless link between cash office and mobile telephone, in which the cash office monitors or intercepts the  
20 communication to the switchboard regardless of the fact that this link is encrypted and should not be interceptable by third parties.

- A payment system in which a mobile telephone confirms  
25 the payment is described in international publication WO 98/47116. A computer designated as TSN, which splits the handling of the payment traffic, is used for this purpose. The mobile telephone sends a message to the TSN in which the receiving cash office and the amount  
30 are designated. The TSN then sends a confirmation to the cash office. Direct communication via a short-distance link is not described.

- In international publication WO 98/52151, a payment  
35 system is described in which the payment process is effected by a digitally signed payment instruction, an electronic check, as it were.

amounts and effects a collective credit.

1 The previous description has been based on the fact  
that arbitrary networks are used and the messages are,  
5 therefore, signed digitally. When using closed user  
groups in X.25 or ISDN, in particular, a signature of  
the payment confirmation is not necessary, for example,  
since the cash register can be assured in this case  
that no third parties have access to the network. In  
10 the same manner, the additional digital signature can  
be omitted when the payment center is integrated into  
the facilities of the network operator since the  
communication is encrypted, in any case, and the  
operator is assured, in any case, via authentication  
15 facilities that a particular customer has set up the  
connection. However, since contemporary cash registers  
are controlled by modified personal computers, the  
computing power of which is sufficient for window  
operating systems and which can handle the necessary  
20 cryptographic calculations in fractions of seconds, the  
digital signature as described is preferred.

Methods for digital signature are generally known from  
textbooks on cryptography; at present, asymmetric  
25 methods, also called public key methods, are preferably  
used. Further notes can also be found in the  
~~above-mentioned~~ publication WO 97/52151.  
~~above-mentioned~~ 98/52151.

In particular, the payment confirmation can  
30 additionally contain its own public key which is signed  
by a third entity such as a dealer's association. This  
process is only necessary between payment center and  
dealer's association and not bilaterally between each  
payment center and each cash register.

35 The same applies to the communication between the  
mobile device and the payment center. In particular,  
the operator of the mobile radio network can provide

**Version with markings to show changes made**

**In the claims:**

4. (Amended) The method as claimed in claim 1, [2 or 3,] wherein the payment instruction is digitally signed in the mobile device.

5. (Amended) The method as claimed in claim 1, [2 or 3,] wherein the payment confirmation is digitally signed in the payment center.

6. (Amended) The method as claimed in [one of the preceding claims] claim 1, wherein the payment demand contains the address to which the payment confirmation is sent.

7. (Amended) The method as claimed in [one of the preceding claims] claim 1, wherein the third link is implemented by means of the first and second link.

8. (Amended) The method as claimed in [one of the preceding claims] claim 1, wherein Bluetooth or IrDa is used as the first interface and GSM, GPRS or UTMS are used as the second interference.

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